

SENATE JOURNAL

Forty-First Legislature—Second Called Session.

FIRST DAY.

Senate Chamber,
Austin, Texas.

Monday, June 3, 1929.

The Senate met at 12 o'clock noon pursuant to the call of Governor Dan Moody, and was called to order by Lieutenant Governor Barry Miller.

Temporary Officers Announced.

The Chair announced the appointment of the following temporary officers:

Secretary—Bob Barker.
Sergeant at Arms—A. W. Holt.
Journal Clerk—Wendell O'Neal.
Doorkeeper—Warren Freund.

Roll Call.

The roll was called, a quorum being present, the following Senators answering to their names

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Galner.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent.

Martin. Parr.

A quorum being present, the Senate rose and attended prayer by the Rev. Daniel Greider.

Proclamation by the Governor.

The Chair laid before the Senate the following proclamation by the Governor:

Proclamation
by the

Governor of the State of Texas

To all to Whom These Presents Shall Come:

Whereas, Necessity exists for leg-

islative action on the following subjects:

1. Regulation of public utilities;
2. Taxation and revenue;
3. Public education;
4. Revenue for the support of the Highway Department;
5. Appropriations for the support of the Departments and Institutions for the ensuing biennium;
6. Priority rights in public waters;
7. Laws dealing with formation of companies for the sale of stock and shares therein, and with the sale of stock, shares and securities;
8. Amendments to the statutes prescribing judicial procedure obtaining in this State;

Now, Therefore, I, Dan Moody, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution of this State, hereby call a Special Session of the Forty-first Legislature to be convened in the city of Austin, commencing at twelve o'clock, noon, on Monday, the third day of June, A. D. 1929, for the purpose of taking legislative action upon the above named subjects.

In testimony whereof I hereunto sign my name and cause to be impressed hereon the seal of the State of Texas at Austin, this the 30th day of May, A. D. 1929.

DAN MOODY,

Governor of Texas.

By the Governor:

JANE Y. McCALLUM,

Secretary of State.

The State of Texas
Department of State

I, Jane Y. McCallum, Secretary of State, of the State of Texas, do hereby certify that the foregoing is a true and correct copy of Proclamation of the Governor calling the Forty-first Legislature into Special Session with the endorsement thereon, as now appears of record in this Department.

In Testimony Whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the

city of Austin, this 3rd day of June A. D. 1929.

JANE Y. McCALLUM,
Secretary of State.

(Seal)

Caucus Report.

The Chair recognized Senator Witt, who sent up the following caucus report:

Senate Chamber,
Austin, Texas, June 3, 1929.
Hon. Barry Miller, Lieutenant Governor:

A caucus was held in the office of the Senate, attended by twenty-eight Senators-elect, and by unanimous vote of those present, it was agreed that those Senators present holding proxies for those Senators absent could cast said proxies.

The purpose of the caucus was to determine the number and personnel of the Senate officers and employees of the ensuing Second Called Session of the Forty-first Legislature. Senator Edgar E. Witt was elected Chairman of the caucus, and Senator Tomas G. Pollard was elected Secretary.

The following officers and employees were recommended as officers and employees of the Senate during the Second Called Session of the Forty-first Legislature:

Secretary: Bob Barker.

Assistant Secretary: Morris Hankins.

Journal Clerk: Wendell O'Neal.

Assistant Journal Clerk: Mrs. Hugh Harris.

Second Assistant Journal Clerk: Miss Gladys Ash.

Sergeant-at-arms: Albert Holt.

Assistants to Sergeant-at-Arms: Gordie Brown, Robert Lee McDougal, and Tom McClendon.

Sergeant-at-Arms for Gallery: Sam N. Russell and J. C. Adrain.

Night Sergeants-at-Arms: W. P. Midkiff and Boyd Ray, and Hugh Marshall.

Calendar Clerk: W. V. Howerton.

Assistant Calendar Clerks: Grace Jennings, Juanita Wills.

Mailing Clerk: Mrs. Ann Polglass.

Assistant Mailing Clerks: Mrs. W. M. Roberts, Mrs. Estell R. Gardner, Mary Travis Root, W. A. Harper, Mrs. E. W. Price, Miss Francis Morgan, and Mrs. Pearl Key.

Librarian: Theodosia Bell.

Postmistress: Mrs. M. B. Brown.
Assistant Postmistress: Mrs. F. E. Sewell.

Chaplain: Rev. W. H. Doss.

Notary Clerk: William Connerly.

Assistant Notary Clerk: W. S. Collins.

Second Assistant Notary Clerk: R. A. Hartwell.

Messengers, two: Sam Tigner and A. W. Mitchell. (each to receive \$2.50 per day.)

Telephone Operator: Miss Mary Jacobs.

Assistant Telephone Operator: Miss Ardis Phillips.

Doorkeeper: Warren S. Freund.

Assistant Doorkeepers: Everett Boyd, Carey Thompson, A. P. Bagby, Jack Boyett, Eugene Digges, Jr., Walter Doughty, and A. W. Townsend.

General Custodian of the Senate: C. K. Walters.

The Lieutenant Governor is authorized to appoint an elevator boy to serve at night and on Sunday, said elevator boy to receive \$4.00 per day.

The Sergeant-at-Arms is hereby directed to see to it that his office is kept open on all nights and also on Sundays and on Sunday nights; it is further directed that there shall be one telephone operator on duty every night, also on Sundays and Sunday night; it is further directed that the postoffice shall be kept open on Sunday; and that the Sergeant-at-Arms shall have charge of all assistant Sergeant-at-Arms, and that the Doorkeepers shall have charge of all assistant doorkeepers, and that each shall distribute the duties among such assistants, and direct the times and hours they shall work, and to assist when necessary the telephone operators.

It is further recommended that the Enrolling and Engrossing Committees be authorized to employ Enrolling and Engrossing Clerks, and such assistants as necessary; and that the Enrolling and Engrossing Clerk shall receive \$10.00 per day for his service, and assistants \$5.00 per day.

It is further recommended that each Senator be permitted to name one stenographer, and that such employee act as clerk of each committee of which said Senator shall be Chairman, save and except that this does not apply to the Chairman of the Fi-

nance Committee and the Finance Committee.

It is further recommended that the President of the Senate have exclusive appointment of such number of pages and porters as in his judgment may be necessary.

It is further recommended that the compensation of officers and employees named, except as otherwise expressly provided, shall receive \$5.00 per day, except that the Secretary of the Senate, the Journal Clerk, Calendar Clerk and the Sergeant-at-Arms shall receive \$10.00 per day, and the Assistant Calendar Clerks, Assistant Secretary, and Assistant Journal Clerk shall receive \$7.50 per day, and except further that the pages shall receive \$3.00 per day, and porters shall receive \$3.00 per day each, the head porter and porter carrying mail \$4.00 per day each.

It is further recommended that the Lieutenant Governor and Senators be authorized to use any of the employees needed for any other work in the Senate where their services may be required, in the judgment of the Lieutenant Governor.

It is further recommended that the Lieutenant Governor be permitted to select a Secretary at a salary of \$10.00 per day, and an Assistant Secretary at a salary of \$6.00 per day, and a personal messenger at a salary of \$5.00 per day.

It is further recommended that the Senators be given such time as they desire to name their personal appointments, and that such appointments be made by handing the names of such appointees to the Secretary of the Senate.

It is further recommended that 2700 daily Journals be printed and that the same be prorated among the Senators and the Lieutenant Governor, except that 300 shall be furnished the members of the House.

It is further recommended that the Sergeant-at-Arms rent such typewriters as may be necessary for the use of the employees of the Senate, such rental not to exceed \$4.00 per month per machine.

It is further recommended that Judge Sutton be elected attorney for the Senate at a salary of \$20.00 per day.

It is further recommended that the

Lieutenant Governor and each Senator be allowed the stationery and postage needed by them respectively, and be allowed expenses incurred in the transmitting and receiving of telephone messages and telegraph messages and expenses that may be actually necessary in the discharge of his official duty.

It is further recommended that the Chairman of the Finance Committee be authorized to appoint a Clerk to the Finance Committee and a first Assistant Clerk, and that their salaries shall be the same as during the First Called Session of the Forty-first Legislature, and that he be authorized to appoint such other clerks as he deems necessary at a salary of \$5.00 per day.

It is further recommended that each Senator and the Lieutenant Governor be permitted to subscribe to five daily papers, to be paid for out of the contingent fund.

WITT, Chairman.

POLLARD, Secretary

On motion of Senator Witt, the report was adopted.

Appointments Announced

The Chair announced the following appointments:

T. L. Wheeler, Private Secretary to Lieutenant Governor.

Miss Lucille Crook, Assistant to Lieutenant Governor.

Chas. Pratt, Messenger to Lieutenant Governor.

Pages.—Mike Henderson, Page to Sergeant-at-Arms; Herman Maddox, Page to Committee Clerk and Stenographers; Elwood Brown, Page to Finance Committee.

General Pages.—Martin Wukasz, Prentiss Burkett, Van Kirkpatrick, Erwin Eilers, H. A. Morgan, Milton Coffey, Jack Cowley, Ted Harper, Eugene Corbit, Iverson Hutton, Hewett Davis, L. V. Orr, Truett Wilbanks, Robt. E. Ledbetter, Cecil Tom Labinsky, Sam Frank Scott, Leon Chudes.

Elevator Operator.—Chas. Weddington.

Porters.—Jim Jackson, Head Porter; Buck Green, Tom Burton, Sam Grant, Bozia Harris, Fred Rhambo, Charlie Jackson.

Election of President Pro Tempore.

The Chair announced that nominations for President Pro Tem were now in order.

Senator Woodul nominated Senator Parrish.

The Chair appointed Senators Gainer and Williamson as tellers.

On motion of Senator Hyer, the Secretary of the Senate was instructed to cast the vote of the Senate.

The Secretary of the Senate reported to the Chair that he had cast the vote of the Senate with the following results:

Senator Parrish, 28 votes.

The Chair declared Senator Parrish duly elected President Pro Tem.

The Chair appointed Senators Woodul, Hornsby and McFarlane to escort Senator Parrish to the platform where the Chair administered the oath of office.

The Chair introduced President Pro Tem Parrish who briefly addressed the Senate.

Employees Sworn In.

The oath of office was administered to the employees of the Senate by the Lieutenant Governor.

Committee Appointed.

Senator Stevenson moved that the Chair appoint a Committee of five to notify the Governor and a similar Committee to notify the House that the Senate was organized and ready for business. The motion prevailed.

The Chair appointed Senators Stevenson, Love, Miller, DeBerry, and Beck to notify the House and Senators Neal, Hyer, Small, Parrish, and Witt to notify the Governor.

At Ease.

The Senate stood at ease until the notification Committees reported.

Committees Report.

The Committee appointed to notify the House that the Senate was organized and ready for business appeared at the bar of the Senate and Senator Stevenson announced that the Committee had performed its duty and introduced a Committee from the House who announced that the House was now organized and ready for business.

The Committee appointed to notify the Governor that the Senate was organized and ready for business appeared at the bar of the Senate and Senator Neal announced that the Committee had performed its duty.

S. C. R. No. 1.

Senator Hyer sent up the following resolution:

Whereas, on May 26, 1929, Reg L. Robbins and James Kelly of Fort Worth, Texas, did establish a world's record for remaining in the air for a period of 172 hours, 32 minutes and 1 second, thereby besting the record held by the U. S. Army plane, "The Question Mark", and

Whereas, all Texas is thrilled with pride at this marvelous achievement of these two native Texans in the Texas-named plane "The Fort Worth," flying in Texas and leaving from and returning to Texas soil, and

Whereas, the duly elected representatives of the people of Texas wish to receive and personally congratulate these brave and intrepid young Texans, and

Whereas, the Governor of Texas has signified his intention of commissioning these two fliers as Lieutenant-Colonels and attaching them to his personal staff.

Therefore, Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, that a joint session of the two bodies be held at 1 p. m., June 3, 1929, at which time Reg L. Robbins and James Kelly be invited to be present to receive the thanks and congratulations for their remarkable achievement and their commissions from the Governor of Texas.

The resolution was read and adopted.

Bills and Resolutions.

By Senator Pollard.

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand (\$100 000) Dollars, or so much thereof as may be necessary, out of the general revenue, to pay the per diem and mileage of members, the per diem of officers and employees and the contingent expenses of the Second Called Session of the Legislature, etc., and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay the salaries of judges, and the support and maintenance of the Ju-

dicial Department of the State Government for the two-year period beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 3, A bill to be entitled "An Act declaring the permanent policy of the people of Texas and the Legislature thereof with reference to public schools, and for the purpose of promoting the public school interests of Texas, of aiding the people to provide adequate school facilities for the education of their children; etc.,"

The bill was read first time and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 4, A bill to be entitled "An Act making appropriation for the support and maintenance of the State Government for the two-year period beginning September 1, 1929, and ending August 31, 1931, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 5, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 6, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them, etc., and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 7, A bill to be entitled "An Act appropriating the sum of \$510,000 out of the State Highway Fund for the purchase of site and erection and equipping of a fire-proof building in which shall be located all offices maintained by the State Highway Department in the City of Austin."

The bill was read and referred to Committee on Finance.

By Senator Pollard.

S. B. No. 8, A bill to be entitled "An Act making appropriation for the support and maintenance of Dickson Colored Orphanage for the remainder of the fiscal year ending August 31, 1929, and ratifying, confirming and approving the acceptance by the State of said Orphanage property heretofore made by Resolution of the Legislature; and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senators Williamson, Pollard, Neal, Berkeley, et al.

S. B. No. 9, A bill to be entitled "An Act authorizing the Governor to appoint a commission of three citizens of the State of Texas to acquire by purchase, condemnation or otherwise, all remaining property now privately owned in the block bounded by Alamo Plaza, Nacogdoches and East Houston Streets in the City of San Antonio, surrounding the historic Alamo, for the State of Texas; prescribing the duties of such commission, and describing the land to be purchased; authorizing condemnation proceedings; making appropriation for the acquisition thereof and the expenses in connection therewith; directing how and when the same shall be paid for; and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Williamson.

S. B. No. 10, A bill to be entitled "An Act to provide that the Highway Department may issue a permit upon the application of any person, firm or corporation to operate over a State Highway super-heavy or over-size equipment for the transportation of such commodities as cannot be reasonably dismantled, where the gross weight or size exceeds the limits allowed by law, providing for the form of an application for a permit, providing for the filing of a bond for damage that might occur to the highway, providing for a fee to be filed with each bond, providing for venue for suits of such bonds, and providing a form of permit, and declaring an emergency."

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Williamson.

S. B. No. 11, A bill to be entitled "An Act further regulating the operation of vehicles on the public highways; limiting the size and weight of vehicles and loads permitted on any public highway; requiring lights on certain vehicles not heretofore by law required to carry lighting equipment; restricting the stopping or parking of a vehicle on the improved portion of a highway; providing for the erection and maintenance of signs or markers, on the State Highways, prescribing restrictions regarding the speed of any vehicle; prescribing penalties for violations of this Act; providing for appointment of inspectors to enforce the provisions of this Act and other laws relating to vehicles and traffic on the public highways; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Williamson.

S. B. No. 12, A bill to be entitled "An Act providing for the registration in this State of vehicles owned by citizens of another state or country and duly registered under the laws of said state or country for the current year, prescribing restrictions under which such vehicles may be operated; prescribing penalties for any violations hereof; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Williamson.

S. B. No. 13, A bill to be entitled "An Act authorizing the State Highway Department of the State of Texas to audit the records and fees collected by the tax collectors for the registration or transfer of motor vehicles, tractors, trailers, semi-trailers, or other vehicles or for chauffeurs license, and declaring an emergency."

The bill was read first time and referred to Committee on State Highways and Motor Traffic.

By Senator Williamson.

S. B. No. 14, A bill to be entitled "An Act to amend Art. 1434 of the Penal Code of Texas, 1925, as amended by Chapter 77 General and Special Laws of the First Called Session of the 41st. Legislature, and Art. 1435 of the Penal Code of Texas, 1925, relating to the transfer of secondhand or used vehicles and the recording of said transfers, repealing all laws in conflict with this Act; and declaring an emergency."

The bill was read first time and referred to State Highways and Motor Traffic.

By Senator Woodul.

S. B. No. 15, A bill to be entitled "An Act to provide for the District, County, and probate Courts to be open at all times for the transaction of business and for the judges of said Courts to fix the time of meeting and length of terms to be held, there being at least two terms of District Court in each county each year and a term of county court every two months, and that the Supreme Court of Texas shall make such changes to the statutory rules of practice and procedure as may be necessary to put into effect this Act, etc."

The bill was read first time and referred to Committee on Civil Jurisprudence.

By Senators Woodul and others.

S. B. No. 16, A bill to be entitled "An Act to amend Art. 1302 of the Revised Civil Statutes of the State of Texas of 1925, so as to provide that private corporations may be formed for any lawful purpose or purposes, except as specified in this Act, etc., and declaring an emergency."

The bill was read first time and referred to Committee on Civil Jurisprudence.

By Senator Wirtz and others.

S. B. No. 17, A bill to be entitled "An Act making better provision for the regulation of the sale and dealings in stocks, bonds and securities in this State, etc., and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senators Love and Woodul.

S. B. No. 18, A bill to be entitled

"An Act making appropriation to remove the remains of certain Texas heroes and providing for monuments for such heroes, and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Love.

S. B. No. 19, A bill to be entitled "An Act exempting the cash surrender value of life insurance policies from liability for debt when any member or members of the family of the insured is a beneficiary and under such policies, and exempting same from any kind of forced sale or other process to satisfy any debt; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Insurance.

By Senator Woodward.

S. B. No. 20, A bill to be entitled "An Act repealing Art. 4a and Art. 4b of the Code of Criminal Procedure of the State of Texas, said Articles constituting what is known as the Search and Seizure Act Passed by the Thirty-ninth Legislature of the State of Texas, and declaring an emergency."

The bill was read first time and referred to Committee on Criminal Jurisprudence.

By Senators Neal, Love, and Woodward.

S. B. No. 21, A bill to be entitled "An Act repealing Art. 727a of the Code of Criminal Procedure of the State of Texas, said Art. constituting what is known as the Evidence Clause of the Search and Seizure Act passed by the Thirty-ninth Legislature of the State of Texas, and declaring an emergency."

The bill was read first time and referred to Committee on Criminal Jurisprudence.

By Senator Woodward.

S. B. No. 22, A bill to be entitled "An Act amending Title 40 of the Revised Civil Statutes of 1925 by adding thereto Article 1884a providing that no judge shall sit in any case wherein he may be interested or where either of the parties may be connected with him either by affinity or consanguinity within the third degree or where he shall have been counsel in the case, and declaring an emergency."

The bill was read first time and

referred to Committee on Civil Jurisprudence.

By Senator Woodward.

S. B. No. 23, A bill to be entitled "An Act to amend Art. 5520 Revised Civil Statutes of 1925 relating to limitation by adding to said Article 5520, Section 3; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Civil Jurisprudence.

By Senator Thomason.

S. B. No. 24, A bill to be entitled "An Act making an appropriation of \$452.64 out of the General Revenue of the State of Texas, not otherwise appropriated, to pay the increase in salary of the Assistant Adjutant General of the State of Texas, as provided for in S. B. No. 315, passed in the Regular Session of the Forty-first Legislature; and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Holbrook.

S. B. No. 25, A bill to be entitled "An Act providing for the collection, housing and care of the historical and natural history museum materials in Texas, etc., and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senator Holbrook.

S. B. No. 26, A bill to be entitled "An Act fixing the salary of court reporters in counties having a population of less than one hundred thousand and having a city of more than forty-four thousand according to the latest U. S. census, and prescribing the manner of its payment; and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senator Holbrook.

S. B. No. 27, A bill to be entitled "An Act fixing the salary of the court reporter in each judicial district in this State containing four or more counties having a combined population according to the latest U. S. census of not less than eighty-four thousand four hundred and not more than eighty-four thousand four hundred seventy-five, and prescribing the manner of the pay-

ment of same; and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

By Senator Cousins.

S. B. No. 28, A bill to be entitled "An Act fixing the time of holding terms of the District Courts in all of the Judicial Districts of the State of Texas and regulating certain practices and proceedings in such courts and repealing all laws in conflict with this Act; and declaring an emergency."

The bill was read first time and referred to Committee on Judicial Districts.

By Senator Cousins.

S. B. No. 29, A bill to be entitled "An Act creating the Texas State Nautical School, etc., and declaring an emergency."

The bill was read first time and referred to Committee on Civil Jurisprudence.

By Senators DeBerry and Patton.

S. B. No. 30, A bill to be entitled "An Act appropriating two million nine thousand dollars per year, or so much thereof as may be necessary for the next two fiscal years for the purpose of promoting rural school education and equaling the school opportunities afforded by the State to all children of scholastic age living in small and financially weak districts; etc., and declaring an emergency."

The bill was read first time and referred to Committee on Finance.

By Senator Witt.

S. B. No. 31, A bill to be entitled "An Act relating to financial management and control of any incorporated city or town that has, or may hereafter, default in payment of bonds or other obligations lawfully issued thereby; etc., and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

Committee Reports.

(See Appendix).

Messages from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives
Austin, Texas, June 3, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed

S. C. R. No. 1, Providing for a joint-session at 1:00 p. m., June 3, 1929, to receive Reg L. Robbins and James Kelley.

Respectfully submitted.

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives
Austin, Texas, June 3, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 1, Inviting Governor Moody to address a Joint Meeting of the House and Senate at 1:00 p. m., June 3, 1929.

Respectfully submitted.

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 1.

Senator Pollard received unanimous consent to take up the following bill:

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand (\$100,000) dollars, or so much thereof as may be necessary, out of the general revenue, to pay the per diem and mileage of members, the per diem of officers and employees, etc., and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by a two-thirds vote.

The Committee report was adopted.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 1 was put on its second reading by the following vote:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hornsby.
Cunningham.	Hyer.
DeBerry.	Love.
Gainer.	McFarlane.
Greer.	Miller.

Moore.	Thomason.
Neal.	Westbrook.
Parrish.	Williamson.
Patton.	Wirtz.
Pollard.	Witt.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

Absent.

Martin.	Parr.
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The bill was read second time and passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 1 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Witt.
Love.	Wirtz.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent.

Martin.	Parr.
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The bill was read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Witt.
Love.	Wirtz.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Absent.

Martin.	Parr.
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Senators Excused.

On motion of Senator Greer, Senator Parr was excused for the day on account of important business.

On motion of Senator Pollard, Senator Martin was excused for the day on account of important business.

H. C. R. No. 1.

The Chair laid before the Senate H. C. R. No. 1, inviting Governor Dan Moody to address the joint session today.

The resolution was read and adopted.

S. C. R. No. 2.

Senator Neal sent up the following resolution:

Whereas, June 3rd is Jefferson Davis' birthday, and

Whereas, the Governor of the State of Texas has proclaimed this day a holiday, and

Whereas, the Legislature desires to honor the memory of this great man,

Now, therefore, be it resolved by the Senate of the State of Texas, the House of Representatives concurring that when the Legislature adjourns today it do so in honor of the memory of Jefferson Davis.

Neal, Witt, Pollard, Beck, Holbrook, Love.

The resolution was read and adopted.

Committee Appointed.

The Chair appointed Senators Hyer, Moore, Miller, Hardin, and Hornsby on the part of the Senate to meet Messrs. Robbins and Kelley at the Capitol door and escort them to the House.

Joint Session.

At 1:00 o'clock p. m., the Chair announced that the hour for the joint session had arrived. The Senate retired to the Hall of the House of Representatives.

After Joint Session.

At the conclusion of the joint session, the Senate returned to the Senate Chamber.

Adjournment.

Senator Witt moved to recess until 5:00 o'clock p. m.

Senator McFarlane moved as a substitute that the Senate adjourn until 10:00 o'clock tomorrow morning.

The motion to adjourn prevailed, and at 1:40 o'clock p. m. the Senate adjourned.

APPENDIX.

Committee Reports.

Senate Chamber,
Austin, Texas, June 3, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of One Hundred Thousand (\$100,000.00) Dollars, or so much thereof as may be necessary, out of the general revenue, to pay the per diem and mileage of members, the per diem of officers and employees and the contingent expenses of the Second Called Session of the Forty-first Legislature of the State of Texas convened on the 3rd day of June, 1929, by proclamation of the Governor; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

POLLARD, Chairman.

Committee Room,
Austin, Texas, June 3, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 2, A bill to be entitled "An Act making appropriations to pay salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two year period beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,
Austin, Texas, June 3, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 3, A bill to be entitled "An Act declaring the permanent policy of the people of Texas and the Legislature thereof with reference to public free schools, and for the purpose of promoting the public school interests of Texas, of aiding the people to provide adequate school facilities for the education of their children, of lengthening the term of the schools throughout the State and equalizing educational opportunities for all of the children therein by the appropriation of Three Million Dollars for the fiscal year ending August 31, 1930, and Three Million Dollars for the fiscal year ending August 31, 1931, and allowing the State Board of Education and State Superintendent of Public Instruction to aid the public schools in accordance with the conditions herein specified; providing for certain prerequisites for the granting of such aid, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,
Austin, Texas, June 3, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 6, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agricultural and Mechanical College of Texas; State Experimental Stations; the North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso; College of Industrial Arts; Texas Technological College; East Texas State Teachers College at Commerce; North Texas State Teachers College at Denton, Sam Houston

State Teachers College at Huntsville; Stephen F. Austin State Teachers College at Nacogdoches; The Texas College of Arts and Industries at Kingsville; Southwest Texas State Teachers College at San Marcos, Sul Ross State Teachers College at Alpine; West Texas State Teachers College at Canyon; Texas School for the Blind and Texas School for the Deaf; for the years beginning September 1, 1929, and ending August 31, 1931, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room.

Austin, Texas, June 3, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 5, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years, beginning September 1, 1929, and ending August 31, 1931, as follows, to-wit: Abilene State Hospital; Austin State Hospital; Pasteur Institute; Confederate Home; Confederate Woman's Home; Deaf, Dumb and Blind Institute for Colored Youths; Girls Training School; Home for Dependent and Neglected Children; State Hospital for Crippled and Deformed Children at Galveston; State Juvenile Training School; State Orphans Home; Rusk State Hospital; San Antonio State Hospital; State Psychopathic Hospital at Dallas; State Psychopathic Hospital at Galveston; Terrell State Hospital State Tuberculosis Sanatorium; Wichita Falls State Hospital; State Cancer and Pellagra Hospital; Gilmer State Orphanage for Colored Children; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

Committee Room,

Austin, Texas, June 3, 1929.

Hon. Barry Miller, President of the Senate.

We, your Committee on Finance, to whom was referred

S. B. No. 4, A bill to be entitled "An Act making appropriation for the support and maintenance of the State Government for the two year period beginning September 1, 1929, and ending August 31, 1931, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

POLLARD, Chairman.

SECOND DAY.

Senate Chamber,

Austin, Texas,

Tuesday, June 4, 1929.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem Pink Parrish.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Small.
Greer.	Stevenson.
Hardin.	Thomason.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.

Absent—Excused.

Martin.
Parr.

Russek.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix).